

ROY COOPER  
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Secretary

MICHAEL ABRACZINSKAS  
Director



DRAFT

Mr. Terry Houk  
Director of Public Services  
City of High Point  
PO Box 230  
High Point, NC 27261

SUBJECT: Air Quality Permit No. 08074T13  
Facility ID: 4100977  
City of High Point – Eastside Wastewater Treatment Plant  
Jamestown, Guilford County, North Carolina  
Permit Class: Title V  
PSD Class: Minor

Dear Mr. Houk:

In accordance with your completed Air Quality Permit Application for a 02Q .0501(b)(2) – Part II significant modification to your Title V permit, we are forwarding herewith Air Quality Permit No. 08074T13 to City of High Point – Eastside Wastewater Treatment Plant, Jamestown, Guilford County, North Carolina authorizing the continued operation of the emission source(s) and associated air pollution control device(s) specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 02Q .0503(8) have been listed for informational purposes as an "ATTACHMENT." Please note the requirements for the annual compliance certification are contained in General Condition P in Section 3. The current owner is responsible for submitting a compliance certification for the entire year regardless of who owned the facility during the year.

As the designated responsible official it is your responsibility to review, understand, and abide by all of the terms and conditions of the attached permit. It is also your responsibility to ensure that any person who operates any emission source and associated air pollution control device subject to any term or condition of the attached permit reviews, understands, and abides by the condition(s) of the attached permit that are applicable to that particular emission source.

If any parts, requirements, or limitations contained in this Air Quality Permit are unacceptable to you, you have the right to request a formal adjudicatory hearing within 30 days following receipt of this permit, identifying the specific issues to be contested. This hearing request must be in the form of a written petition, conforming to NCGS (North Carolina General Statutes) 150B-23, and filed with both the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714 and the Division of Air Quality, Permitting Section, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641. The form for requesting a formal adjudicatory hearing may be obtained upon request from the Office of Administrative Hearings. Please note that this permit will be stayed in its entirety upon receipt of the request for a hearing. Unless a request for a hearing is made pursuant to NCGS 150B-23, this Air Quality Permit shall be final and binding 30 days after issuance.



North Carolina Department of Environmental Quality | Division of Air Quality  
217 West Jones Street | 1641 Mail Service Center | Raleigh, North Carolina 27699-1641  
919.707.8400

You may request modification of your Air Quality Permit through informal means pursuant to NCGS 150B-22. This request must be submitted in writing to the Director and must identify the specific provisions or issues for which the modification is sought. Please note that this Air Quality Permit will become final and binding regardless of a request for informal modification unless a request for a hearing is also made under NCGS 150B-23.

The construction of new air pollution emission source(s) and associated air pollution control device(s), or modifications to the emission source(s) and air pollution control device(s) described in this permit must be covered under an Air Quality Permit issued by the Division of Air Quality prior to construction unless the Permittee has fulfilled the requirements of NCGS 143-215.108A(b) and received written approval from the Director of the Division of Air Quality to commence construction. Failure to receive an Air Quality Permit or written approval prior to commencing construction is a violation of NCGS 143-215.108A and may subject the Permittee to civil or criminal penalties as described in NCGS 143-215.114A and 143-215.114B.

Guilford County has triggered increment tracking under PSD for PM-10 and SO<sub>2</sub>. However, this permit modification does not consume or expand increments for any pollutants.

This Air Quality Permit shall be effective from DRAFT until November 30, 2021, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein.

Should you have any questions concerning this matter, please contact Connie J. Horne, at (919) 707-8722 or [Connie.Horne@ncdenr.gov](mailto:Connie.Horne@ncdenr.gov).

Sincerely yours,

William D. Willets, P.E., Chief, Permitting Section  
Division of Air Quality, NCDEQ

Enclosure

c: Kelly Fortin, EPA Region 4 (with review)  
Ray Stewart, Supervisor, WSRO  
Connie Horne (cover letter only)  
Central Files

ATTACHMENT to Air Quality Permit No. 08074T13

Insignificant Activities per 15A NCAC 02Q .0503(8)

Emission Source ID No.	Emission Source Description
I-WWTS-1	Wastewater treatment system and associated odor control scrubber
I-AST-1, I-AST-2, I-AST-3	Three above ground storage tanks containing No. 2 fuel oil (10,000 gallons capacity, each)

1. Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement or that the Permittee is exempted from demonstrating compliance with any applicable requirement.
2. When applicable, emissions from stationary source activities identified above shall be included in determining compliance with the permit requirements for toxic air pollutants under 15A NCAC 02D .1100 "Control of Toxic Air Pollutants" or 02Q .0711 "Emission Rates Requiring a Permit".
3. For additional information regarding the applicability of MACT or GACT see the DAQ page titled "Specific Permit Conditions Regulatory Guide". The link to this site is as follows: <http://deq.nc.gov/about/divisions/air-quality/air-quality-permits/specific-permit-conditions-regulatory-guide>.

### Summary of Changes to Air Quality Permit

<b>Old Page No.</b> [Air Permit No. 08074T12]	<b>New Page No.</b> [Air Permit No. 08074T13]	<b>Section No.</b>	<b>Changes</b>
All	All	---	Modified to reflect current permit number, issue and effective dates.
3	3	Section 1	Removed footnote and associated emission source tag.
12	12	2.1 A. 7	Removed “15A NCAC 02Q .0504: OPTION FOR OBTAINING CONSTRUCTION AND OPERATION PERMIT”. The requirement to submit an application under this condition was satisfied with receipt of Permit Application No. 4100977.19B.
20-28	20-28	Section 3	Updated Section 3 – General Conditions to Version 5.3 (8/21/2018).



State of North Carolina  
Department of Environmental Quality  
Division of Air Quality

## AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
08074T13	08074T12	DRAFT	November 30, 2021

Until such time as this permit expires or is modified or revoked, the below named Permittee is permitted to construct and operate the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 2D and 2Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 2Q, the Permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete Air Quality Permit Application to the permitting authority and received an Air Quality Permit, except as provided in this permit.

**Permittee:** **City of High Point – Eastside Wastewater Treatment Plant**

**Facility ID:** **4100977**

**Facility Site Location:** **5898 Riverdale Drive**  
**City, County, State, Zip:** **Jamestown, Guilford County, North Carolina 27282**

**Mailing Address:** **PO Box 230**  
**City, State, Zip:** **High Point, North Carolina 27261**

**Application Number:** **4100977.19B**  
**Complete Application Date:** **September 9, 2019**

**Primary SIC Code:** **4952**  
**Division of Air Quality,**  
**Regional Office Address:** **Winston-Salem Regional Office**  
**450 West Hanes Mill Road, Suite 300**  
**Winston-Salem, NC 27105**

Permit issued this the DRAFT.

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William D. Willets, P.E., Chief, Air Permitting Section  
By Authority of the Environmental Management Commission

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## SECTION 1 - PERMITTED EMISSION SOURCES AND ASSOCIATED AIR POLLUTION CONTROL DEVICES AND APPURTENANCES

The following table contains a summary of all permitted emission sources and associated air pollution control devices and appurtenances:

Page Nos.	Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
3	ES-01 (NSPS O, NESHAP Part 61 C and E)	Natural gas/No. 2 fuel oil-fired fluidized bed sewage sludge incinerator (3,000 pounds of dry sludge per hour maximum charge rate; 5.05 million Btu per hour rated auxiliary heat input)	CD-01  CD-04	Wet scrubber (392 gallons per minute liquid injection rate)  Sorbent polymer catalyst composite material adsorber (0.35 to 3.0 inches of water pressure drop)
12	ES-02	Sand storage silo	CD-02	Bagfilter (112 square feet of filter surface area)
13, 19	ES-03 through ES-05 (MACT ZZZZ)	Three 2,000 kW No. 2 fuel oil-fired dual use generators	N/A	N/A

## SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

### 2.1 - Emission Source(s) and Control Devices(s) Specific Limitations and Conditions

The emission sources and associated air pollution control device(s) and appurtenances listed below are subject to the following specific terms, conditions, and limitations, including the testing, monitoring, recordkeeping, and reporting requirements as specified herein:

- A. One natural gas/No. 2 fuel oil-fired fluidized bed sewage sludge incinerator (3,000 pounds of dry sludge per hour maximum charge rate; 5.05 million Btu per hour rated auxiliary heat input) (ID No. ES-01) controlled by one wet scrubber (ID No. CD-01) in series with a sorbent polymer catalyst composite material adsorber (ID No. CD-04)

The following provides a summary of limits and/or standards for the emission source(s) described above.

Regulated Pollutant	Limits/Standards	Applicable Regulation
Sulfur dioxide	2.3 pounds per million Btu heat input each	15A NCAC 02D .0516
Particulate matter	1.3 pounds per ton of dry sludge input 20 percent opacity	15A NCAC 02D .0524 (40 CFR 60 Subpart O)
Beryllium Mercury	10 grams per 24-hour period 3,200 grams per 24-hour period	15A NCAC 02D .1110 (40 CFR 61 Subparts C and E)

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter SO <sub>2</sub> HCl Hg Beryllium  CO	1.3 pounds per ton of dry sludge input 2.3 pounds per million Btu 4 pounds per hour As per 15A NCAC 02D .1110 As per 15A NCAC 02D .1110  100 parts per million (volumetric basis, corrected to 7% oxygen and 0% moisture)	15A NCAC 02D .1204
NO <sub>x</sub>	250 tons per year <b>See Section 2.2 A</b>	15A NCAC 02Q .0317 Avoidance
Pb, As, Cd, Cr, Ni	40 CFR 503.43(c), Continuous emission monitoring quality assurance reporting	40 CFR Part 503, Subpart E 15A NCAC 02D .0613
Cd, CO, HCl, Hg, NO <sub>x</sub> , Pb, PCDD/PCDF, PM, SO <sub>2</sub> , fugitive emissions	<b>See Section 2.1 A.6.</b>	40 CFR Part 62, Subpart LLL Federally-Enforceable only

## 1. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from this source (**ID No. ES-01**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

### **Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.1.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

### **Monitoring/Recordkeeping/Reporting** [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the burning of No. 2 fuel oil in this source (**ID No. ES-01**).

## 2. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS SUBPART O

- a. For the sewage sludge incinerator (**ID No. ES-01**), the Permittee shall comply with all applicable provisions for emissions standards, compliance and performance testing, emission monitoring, and reporting and recordkeeping, in accordance with 15A NCAC 02D .0524 “New Source Performance Standards (NSPS)” as promulgated in 40 CFR 60, Subpart O “Standards of Performance for Sewage Treatment Plants”, including Subpart A “General Provisions.”

### **NSPS Emissions Limitations** [§60.152]

- b. The following permit limits shall not be exceeded:

Affected Source(s)	Pollutant	Emissions Limit
Natural gas/No. 2 fuel oil-fired fluidized bed sewage sludge incinerator (3,000 pounds of dry sludge per hour maximum charge rate; 5.05 million Btu per hour rated auxiliary heat input) ( <b>ID No. ES-01</b> )	PM	1.3 pounds per ton of dry sludge input Less than 20 percent opacity

### **PM – Scrubber Requirements**

- c. As required by 15A NCAC 2D .0524, particulate matter emissions from the fluidized bed sewage sludge incinerator (**ID No. ES-01**) shall be controlled as described in the permitted equipment list.
- i. **Inspection and Maintenance Requirements** - To comply with the provisions of this permit and ensure that emissions do not exceed the regulatory limits, the Permittee shall perform periodic inspections and



maintenance (I&M) as recommended by the manufacturer. In addition, the Permittee shall perform an annual internal inspection of the wet scrubber (**ID No. CD-01**). As a minimum, the annual internal inspection will include inspection of spray nozzles, packing material (if applicable), chemical feed system (if so equipped), and the cleaning/calibration of all associated instrumentation. [15A NCAC 02Q .0508(f)]

- ii. Recordkeeping Requirements - The results of all inspections and any variance from manufacturer's recommendations or from those given in this permit (when applicable) shall be investigated with corrections made and dates of actions recorded in a logbook. Records of all maintenance activities shall be recorded in the logbook. The logbook (in written or electronic format) shall be kept on-site and made available to DAQ personnel upon request. [15A NCAC 02Q .0508(f)]

#### **Sorbent Polymer Catalyst Composite Material Adsorber Requirements**

- d. As required by 15A NCAC 2D .0524, mercury emissions from the fluidized bed sewage sludge incinerator (ID No. ES-01) shall be controlled as described in the permitted equipment list.
  - i. Inspection and Maintenance Requirements - To comply with the provisions of this permit and ensure that emissions do not exceed the regulatory limits, the Permittee shall perform periodic inspections and maintenance (I&M) as recommended by the manufacturer. In addition, the Permittee shall perform an annual inspection of the sorbent polymer catalyst composite material adsorber system (**ID No. CD-04**). As a minimum, the annual inspection should include the following:
    - A. Inspect and maintain the structural integrity of the sorbent polymer catalyst composite material adsorber system.
    - B. Inspect and maintain the structural integrity of duct work and piping leading to the sorbent polymer catalyst composite material adsorber system.
  - ii. Monitoring Requirements – Install a device in an accessible location to continuously measure and record the pressure drop across the sorbent polymer catalyst composite material adsorber, and maintain it such that it is in proper working order at all times. The pressure drop across the adsorber shall be maintained within 0.35 inch to 3.5 inches of H<sub>2</sub>O, as established by manufacturer specifications.  
 \*\*\*This pressure drop value for the sorbent polymer catalyst composite material adsorber needs to be reestablished during the annual performance tests, required to be conducted pursuant to the condition for 40 CFR 62 Subpart LLL.  
 [15A NCAC 02Q .0308(a)]
  - iii. Recordkeeping Requirements - The results of all inspections and any variance from manufacturer's recommendations or from those given in this permit (when applicable) shall be investigated with corrections made and dates of actions recorded in a logbook. Records of all maintenance activities shall be recorded in the logbook. The logbook (in written or electronic format) shall be kept on-site and made available to DAQ personnel upon request. [15A NCAC 02Q .0508(f)]

#### **Monitoring/Recordkeeping** [§60.153]

- e. Install, calibrate, operate and maintain monitoring devices for the sewage sludge charge rate, auxiliary fuel flow rate, fluidized bed and freeboard area combustion temperatures and exhaust gas oxygen content of the fluidized bed sewage sludge incinerator (**ID No. ES-01**) and the pressure drop of the associated wet scrubber (**ID No. CD-01**). If monitoring and recordkeeping is not performed, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0524 if monitoring and recordkeeping is not performed.

#### **Reporting** [§60.155]

- f. Submit semiannual reports to the Regional Supervisor, DAQ, by January 30<sup>th</sup> and July 30<sup>th</sup> of each year that include a summary of:
  - i. Those periods of duration of at least 15 minutes during which the average pressure drop of the wet scrubber is less than 24.5 inches of water column (**ID No. CD-01**) while sewage sludge is charged into the fluidized bed incinerator (**ID No. ES-1**) during the 6 prior calendar months.  
 \*\*\*This minimum pressure drop value shall be reestablished during the initial performance test, required to be conducted pursuant to the condition for 40 CFR 62 Subpart LLL.
  - ii. Those periods of duration of at least 1 hour during which the average oxygen content of the fluidized bed sewage sludge incinerators' exhaust gas is greater than 10.9% (**ID No. CD-01**) while sewage sludge is charged into the fluidized bed incinerator (**ID No. ES-1**) during the 6 prior calendar months.  
 \*\*\*This oxygen content value for the exhaust of the sewage sludge incinerator shall be reestablished during the initial performance test, required to be conducted pursuant to the condition for 40 CFR 62 Subpart LLL.

### 3. 15A NCAC 02D .1110: NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS SUBPARTS C AND E

For the natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (3,000 pounds of dry sludge per hour maximum charge rate; 5.05 million Btu per hour rated auxiliary heat input) (**ID No. ES-01**), the Permittee shall comply with all applicable provisions, including the notification, testing, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 2D .1110 "National Emissions Standards for Hazardous Air Pollutants" as promulgated in 40 CFR Part 61, Subpart C and Subpart E. As required by 15A NCAC 02D .1110, the following permit limits shall not be exceeded:

Affected Source	Pollutant	Emission Limit
Natural gas/No. 2 fuel oil-fired fluidized bed sewage sludge incinerator (ID No. ES-01)	Beryllium	10 grams per 24-hour period
	Mercury	3,200 grams per 24-hour period

### 4. 15A NCAC 02D .1204: SEWAGE SLUDGE AND SLUDGE INCINERATORS

The Permittee shall comply with the following requirements for the natural gas/No. 2 fuel oil-fired fluidized bed sewage sludge incinerator (**ID Nos. ES-01**):

a. **Emissions Standards** [15A NCAC 02D .1204(c) and (d)]

Affected Facility	Pollutant	Emissions Limit
Fluidized bed sewage sludge incinerator (ID No. ES-01)	Particulate matter	1.3 pounds per ton of dry sewage sludge input
	Sulfur dioxide	2.3 pounds per million Btu
	Hydrogen chloride	4 pounds per hour
	Mercury	As per 15A NCAC 2D .1110
	Beryllium	
	Monthly average carbon monoxide concentration	100 parts per million (volumetric basis, corrected to 7% oxygen and 0% moisture)

b. **Other metals** [40 CFR 503.43(c) and (d)]

Pollutant	Maximum Average Daily Concentration (mg/kg)
Lead	26,821
Arsenic	3,265
Cadmium	4,548
Chromium	119,732
Nickel	1,277,458

c. The maximum sewage sludge combustion temperatures in the fluidized bed of the fluidized bed sewage sludge incinerators (**ID No. ES-01**) shall not exceed 1,647 °F. The maximum sewage sludge combustion temperature in the freeboard area of the fluidized bed sewage sludge incinerator (**ID No. ES-01**) shall not exceed 1,959 °F.

d. The pressure drop of the wet scrubber (**ID No. CD-01**) shall be at least 24.5 inches of water column and the liquid injection rate of the wet scrubber (**ID No. CD-01**) shall be at least 145 gallons per minute while sewage sludge is charged into the fluidized bed sewage sludge incinerator.

\*\*\*Please note that these values for pressure drop and liquid injection rate need to be reestablished during the initial performance test, required to be conducted pursuant to the condition for 40 CFR 62 Subpart LLL.

### **Monitoring**

- e. For the fluidized bed sewage sludge incinerator, the Permittee shall:
  - i. Install, calibrate, maintain and operate continuous monitoring and recording devices for the incinerator fluidized bed and freeboard area temperatures and the incinerator exhaust gas carbon monoxide concentration (**ID No. ES-01**), oxygen content, and moisture content. The continuous emissions monitoring devices for carbon monoxide concentration shall be certified in accordance with the appropriate performance specifications in 40 CFR Part 60, Appendix B.
  - ii. Monitor the beryllium and mercury concentrations in the sewage sludge charged to the incinerator as frequently as required by 40 CFR Part 61, but in no case less than once per year.
  - iii. Install, calibrate, maintain and operate continuous monitoring and recording devices for the pressure drop and liquid injection rate of the wet scrubber (**ID No. CD-01**).
  - iv. Monitor the lead, arsenic, cadmium, chromium and nickel concentrations in the sewage sludge charged into the incinerator as frequently as required by 40 CFR 503.46(a)(2) and (3).

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1204 if monitoring and recordkeeping is not performed.

### **Recordkeeping**

- f. In accordance with 40 CFR 503.47 and 15A NCAC 2D .1204(f), the Permittee shall maintain records sufficient to demonstrate compliance with conditions 2.1.A.4.a through 2.1.A.4.e for at least 5 years.

### **Reporting**

- g. In accordance with 40 CFR 503.48 and 15A NCAC 2D .1204(f), the Permittee shall submit to the Regional Supervisor, DAQ, in writing on or before January 30<sup>th</sup> of each year, a summary report of:
  - i. The concentrations of lead, arsenic, cadmium, chromium and nickel in the sewage sludge charged into the incinerators during the previous calendar year.
  - ii. The monthly average concentrations of carbon monoxide (**ID No. ES-01**) in the exhaust gas of the incinerator in parts per million on a volume basis, corrected to 0% moisture and 7% oxygen, during the previous calendar year.
  - iii. Those periods of duration of at least 15-minutes during which the average liquid injection flow rate of the wet scrubber (**ID No. CD-01**) are less than 145 gallons per minute while sewage sludge is charged into the fluidized bed sewage sludge incinerator during the previous calendar year.
  - iv. Those periods of duration of at least 15-minutes during which the average fluidized bed combustion temperature in the fluidized bed sewage sludge incinerator (**ID No. ES-01**) exceeds 1,647°F or the freeboard area of the fluidized bed sewage sludge incinerator (**ID No. ES-01**) exceeds 1,959 °F while sewage sludge is charged into the fluidized bed sewage sludge incinerators during the previous calendar year.

## **5. 40 CFR Part 503, SUBPART E – STANDARDS FOR THE USE OR DISPOSAL OF SEWAGE SLUDGE: INCINERATION**

For the sewage sludge incinerator (**ID No. ES-01**), the Permittee shall comply with all applicable provisions, including the notification, testing, reporting, recordkeeping, and monitoring requirements contained in 40 CFR Part 503, Subpart E indicated below.

### **Emissions of Lead**

- a. The average daily lead concentration in the sewage sludge fed into the fluidized bed sewage sludge incinerator (**ID No. ES-01**) shall not exceed the maximum concentration calculated using the equation found in 40 CFR 503.43(c).

### **Emissions of Arsenic, Cadmium, Chromium, and Nickel**

- b. The average daily concentrations of arsenic, cadmium, chromium and nickel in the sewage sludge fed into the fluidized bed sewage sludge incinerator (**ID No. ES-01**) shall not exceed the maximum concentration calculated using the equation found in 40 CFR 503.43(d).

### **Management Practices**

- c. As required by 40 CFR 503.45, the Permittee shall follow the following management practices:
  - i. The Permittee shall install, calibrate, operate, and maintain continuous monitoring and recording devices for the carbon monoxide concentrations, oxygen concentration, and moisture content of the exhaust gas and the combustion temperature of the fluidized bed sewage sludge incinerator (**ID No. ES-01**).

- ii. The Permittee shall not operate the fluidized bed sewage sludge incinerator (**ID No. ES-01**) such that the combustion temperatures exceed the combustion temperatures achieved during the performance testing by more than 20%.
- iii. The monitoring and recording devices and the control devices installed on the fluidized bed sewage sludge incinerator (**ID No. ES-01**) to comply with this Subpart must be appropriate for the type of incinerator. The operating parameters of the control device must be adequate to indicate proper performance of the control device. The operation of the control device must not violate the control device requirements of 40 CFR Part 60, Subpart O.

**Continuous Emission Monitoring (CEM) Quality Assurance Program**

- d. Pursuant to 15A NCAC 02D .0613 "Quality Assurance Program," the Permittee shall develop and implement a written quality assurance program containing information required by 40 CFR Part 60, Appendix F, Section 3, Quality Assurance Procedures.
  - i. **CEM Reporting**  
The Permittee shall submit semiannually an excess emissions and monitoring systems summary report. The report shall be calculated on a quarterly basis in a format as provided by the Director. The report shall include any quality assurance assessments, as stated in the quality assurance program, and shall be submitted by July 30 for the period between January 1 and June 30 and by January 30 for the period between July 1 and December 31 of each year. [15A NCAC 02Q .0508(f)]

**Recordkeeping Requirements**

- e. As required by 40 CFR 503.47, the following recordkeeping requirements shall be followed:
  - i. Maintain the following records for a period of five (5) years from the date of recording. This information shall be maintained on site and made available to DAQ personnel upon request.
    - A. The concentration of lead, arsenic, cadmium, chromium, and nickel in the sewage sludge fed to the sewage sludge incinerator.
    - B. Information that indicates the requirements in the National Emission Standard for beryllium in 40 CFR Part 61 Subpart C are met.
    - C. Information that indicates the requirements in the National Emission Standard for mercury in 40 CFR Part 61 Subpart E are met.
    - D. The operating combustion temperatures for the sewage sludge incinerator.
    - E. Values for the air pollution control device operating parameters.
    - F. The oxygen concentration and information used to measure moisture content in the exit gas from the sewage sludge incinerator stack.
    - G. The sewage sludge feed rate.
    - H. The stack height for the sewage sludge incinerator.
    - I. The dispersion factor for the site where the sewage sludge incinerator is located.
    - J. The control efficiency for lead, arsenic, cadmium, chromium, and nickel for each sewage sludge incinerator.
    - K. The risk specific concentration for chromium calculated using equation (6) of 40 CFR 503.43, if applicable.
    - L. A calibration and maintenance log for the instruments used to measure the oxygen concentration in the exit gas from the sewage sludge incinerator stack, the information needed to determine moisture content in the exit gas, and the combustion temperatures.

**Reporting Requirements**

- f. As required by 40 CFR 503.48 on or before February 19th of each year, the Permittee shall submit to the Regional Supervisor, Division of Air Quality, the following information:
  - i. The concentration of lead, arsenic, cadmium, chromium, and nickel in the sewage sludge fed to the sewage sludge incinerator.
  - ii. Information that indicates the requirements in the National Emission Standard for beryllium in 40 CFR Part 61 Subpart C are met.
  - iii. Information that indicates the requirements in the National Emission Standard for mercury in 40 CFR Part 61 Subpart E are met.
  - iv. The operating combustion temperatures for the sewage sludge incinerator.
  - v. Values for the air pollution control device operating parameters.
  - vi. The oxygen concentration and information used to measure moisture content in the exit gas from the sewage sludge incinerator stack.

**6. 40 CFR 62 SUBPART LLL – FEDERAL PLAN REQUIREMENTS FOR SEWAGE SLUDGE INCINERATION UNITS CONSTRUCTED ON OR BEFORE OCTOBER 14, 2010 “Federally-Enforceable Only”**

- a. For the fluidized bed sewage sludge incinerators (**ID Nos. ES-01**), the Permittee shall comply by March 21, 2016, with all applicable provisions, including emission standards, monitoring and reporting requirements, maintenance requirements, notification and recordkeeping requirements, performance test requirements, test method and procedural provisions, and any other provisions, in accordance with 40 CFR 62 Subpart LLL. This condition is “Federally-Enforceable Only”.

Notifications [40 CFR §62.15885, §62.15890, §62.15990]

- b. A notification of achievement of compliance must be submitted to the Administrator no later than 10 business days after the compliance date, March 21, 2016, and shall include the following:
- Notification that the final control plan has been submitted and final compliance has been achieved;
  - Any items required to be submitted with the final control plan and final compliance; and
  - Signature of the owner or operator of the sewage sludge incinerator (SSI) unit.
- c. Submittal of a control plan must satisfy the following two requirements:
- Submit the final control plan to the EPA regional office and permitting authority. The control plan must include:
    - A description of the devices for air pollution control and process changes used to comply with the emission limits and standards and other requirements of this subpart;
    - The type(s) of waste to be burned, if waste other than sewage sludge is to be burned in the unit;
    - The maximum design sewage sludge burning capacity; and
    - A petition for site-specific operating limits under §62.15965, if applicable.
  - Maintain an onsite copy of the final control plan.

Operator Training and Qualification [40 CFR §62.15920]

- d. An SSI unit cannot be operated unless a fully trained and qualified SSI unit operator is available, either at the facility or can be at the facility within 1 hour. The trained and qualified SSI unit operator may operate the SSI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified SSI unit operators are temporarily unavailable, the procedures in §62.15945 must be followed.

Emission Limits, Emission Standards and Operating Limits and Requirements

- e. The following emissions limits and standards must be met by the final compliance date, March 21, 2016, or upon startup of an SSI that has been out of service. These limits and standards apply at all times the unit is operating and during periods of malfunction. The limits and standards also apply to emissions from a bypass stack or vent while sewage sludge is in the combustion chamber (i.e., until the sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time). (40 CFR §62.15955 and Table 2 (FBI) and Table 3 (MHI) to Subpart LLL of Part 62)

<b>Air Pollutant</b>	<b>Emission Limit for an Existing Fluidized Bed SSI<sup>1</sup></b>
Particulate Matter	18 mg/dscm
Hydrogen Chloride	0.51 ppm/dry volume
Carbon Monoxide	64 ppm/dry volume
Dioxins/furans (total mass basis) <sup>2</sup> or Dioxins/furans (toxic equivalency basis)	1.2 ng/dscm Or 0.10 ng/dscm
Mercury	0.037 mg/dscm
Nitrogen Oxides	150 ppm/dry volume
Sulfur Dioxide	15 ppm/dry volume
Cadmium	0.0016 mg/dscm
Lead	0.0074 mg/dscm
Fugitive Emissions from Ash Handling	Visible emissions from combustion ash and from ash conveying system for no more than 5 percent of any compliance test hourly observation period.

<sup>1</sup> All emission limits are measured at 7-percent oxygen, dry basis at standard conditions.

<sup>2</sup> You have the option to comply with either the dioxin/furan emission limit on a total mass basis or the dioxin/furan emission limit on a toxic equivalency basis.

- f. The following operating limits and requirements for SSIs must be met to maintain compliance. The operating limits apply at all times that sewage sludge is in the combustion chamber (i.e., until the sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time). (40 CFR §62.15960 and Table 4 to Subpart LLL of Part 62)
  - i. Site-specific minimum operating temperature of the combustion chamber or afterburner temperature established through initial performance testing;
  - ii. Site-specific minimum pressure drop across each scrubber, minimum flow rate of scrubber liquid, and minimum pH of scrubber liquid established through initial performance testing;
  - iii. For SSIs with fabric filters to comply with emission limits, a bag leak detection system must be installed and operated such that the alarm does not sound more than 5% of the operating time during a 6-month period;
  - iv. Meet the operating limits in the site-specific fugitive emission monitoring plan as specified in §62.15995(d);
  - v. Monitor the feed rate and moisture content of the sewage sludge fed to the SSI by implementing the following:
    - (A) Continuously monitor the sewage sludge feed rate and calculate a daily average for all hours of operation during each 24-hour period. Keep a record of the daily average feed rate, as specified in §62.16025(f)(3)(ii); and
    - (B) Take at least one grab sample per day of the sewage sludge fed to the incinerator. Calculate a daily average for the grab samples if more than one grab sample is taken per day. Keep a record of the daily average moisture content, as specified in §62.16025(f)(3)(ii).

Initial Compliance Requirements (40 CFR §62.15980, §62.15985, §62.15990, §62.15995)

- g. Initial compliance with the emission limits and standards listed above in Section e can be demonstrated in one of two ways.
  - i. Conduct a performance test as required in 40 CFR §60.8. It must be demonstrated that the SSI unit meets the emission limits and standards specified in Table 2 (FBI) and Table 3 (MHI) Of Federal Plan Subpart LLL for PM, HCl, CO, dioxins/furans (total mass basis or toxic equivalency basis), Hg, NOx, SO<sub>2</sub>, Cd, Pb, and fugitive emissions from ash handling. The initial performance test must be conducted using the test methods, averaging methods, and minimum sampling volumes or durations specified in Table 2 (FBI) and Table 3 (MHI) and according to the testing, monitoring, and calibration requirements specified in §62.16015(a). A facility may use the results from a performance test conducted within the two previous years if it was conducted under the same conditions and demonstrated compliance with the emission limits and standards in Table 2 (FBI) and Table 3 (MHI), provided no process changes have been made since that performance test was conducted. OR
  - ii. Demonstrate initial compliance using a continuous emissions monitoring system or continuous automated sampling system as specified in §62.15980.
  - iii. To demonstrate initial compliance with the dioxins/furans toxic equivalency emission limit, use the following:
    - 1. Measure the concentration of each dioxin/furan tetra- through octachlorinated-isomer emitted using EPA Method 23 at 40 CFR part 60, appendix A-7.
    - 2. Multiply the concentration of each dioxin/furan (tetra- through octachlorinated) isomer by its corresponding toxic equivalency factor specified in Table 5 of this subpart.
    - 3. Sum the products to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.
  - iv. Submit an initial compliance report, as specified in §62.16030(b).
- h. Site-specific operating limits specified in Section f must be established during your initial performance test as required in §62.15980.
- i. An initial air pollutant control device inspection must be conducted by the final compliance date. For air pollution control devices installed after the compliance date, an air pollution control device inspection must be conducted within 60 days after installation of the control device. All necessary repairs must be completed

within 10 operating days following the air pollution control device inspection unless approval from the Administrator is given to establish a date whereby all necessary repairs of the SSI unit must be completed.

- j. A site-specific monitoring plan for continuous monitoring, bag leak detection, and ash handling systems must be developed in accordance to the requirements of §62.15995.

Continuous Compliance Requirements (40 CFR §62.16000)

- k. Continuous compliance with the emission limits and standards in Table 2 (FBI) and Table 3 (MHI) shall be demonstrated using either performance testing or the use of a continuous monitoring system.
  - i. Annual performance testing must be conducted for each pollutant (between 11 and 13 calendar months following the previous performance test)
  - ii. A repeat performance test may be conducted at any time to establish new values for the operating limits to apply from that point forward.
  - iii. A performance test must be repeated within 60 days of a process change, as defined in §62.16045.
  - iv. Performance testing can be conducted less often, as specified in §62.16000(a)(3).
  - v. Rules for demonstrating continuous compliance with a continuous monitoring system are specified in §62.16000(b).
- l. Continuous compliance with site-specific operating limits shall be achieved through continuously monitoring the operating parameters in accordance with §62.16005.
- m. An annual air pollution control device inspection shall be conducted no later than 12 months following the previous annual air pollution control device inspection. All necessary repairs must be completed within 10 operating days following the air pollution control device inspection unless approval from the Administrator is given to establish a date whereby all necessary repairs of the SSI unit must be completed.
- n. The performance testing, monitoring, and calibration requirements for compliance with the emission limits and standards are specified in 40 CFR §62.16015 and 40 CFR §62.16020.

Recordkeeping and Reporting (40 CFR §62.16025, §62.16030)

- o. The following records shall be maintained onsite for a period of at least 5 years.
  - i. Calendar date of each record;
  - ii. Final control plan and associated notifications;
  - iii. Operator training – documentation of training procedures and information, records showing names of SSI unit operators and other plant personnel who have completed training, and records showing periods when no qualified operators were accessible in accordance with §62.16025(c)(3) and (c)(4).;
  - iv. Air pollution control device initial and annual inspections;
  - v. Performance test reports including the initial, annual, and any subsequent test reports, including calculations. Maintain a record of the hourly dry sludge feed rate measured during performance test runs;
  - vi. Continuous monitoring data as specified in §62.16025(f);
  - vii. Deviation reports;
  - viii. Equipment specifications and operations and maintenance requirements;
  - ix. Inspections, calibrations and validation checks of monitoring devices;
  - x. Monitoring plan and performance evaluations for continuous monitoring systems;
  - xi. Less frequent testing;
  - xii. Use of bypass stack; and
  - xiii. Records of malfunctions.
- p. The following reporting requirements shall be submitted to the Administrator. Table 6 of 40 CFR 62 Subpart LLL provides a summary of reporting requirements as well.
  - i. Final control plan and final compliance report no later than 10 business days after the compliance date;
  - ii. Initial compliance report no later than 60 days following the initial performance test;
  - iii. Annual compliance report no later than 12 months following the submission of the initial compliance report. Subsequent annual compliance reports must be submitted no more than 12 months following the previous annual compliance report;
  - iv. Deviations reports as specified in §62.16030(d);
  - v. Qualified operation deviation reports as specified in §62.16030(e);

- vi. Notification of force majeure;
- vii. Other notifications:
  1. Notify the Administrator 1 month before starting or stopping use of a continuous monitoring system for determining compliance with any emission limit.
  2. Notify the Administrator 30 days prior to any performance test, to afford the Administrator the opportunity to have an observer present.
  3. Notify the Administrator at least 7 days prior to the date of a reschedule performance test for which notification was previously made.

**B. One sand storage silo (ID No. ES-02) controlled by one bagfilter (ID No. CD-02)**

The following provides a summary of limits and/or standards for the emission source(s) described above.

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	$E = 4.10 \times P^{0.67}$ Where: E = allowable emission rate in pounds per hour P = process weight in tons per year	15A NCAC 02D .0515
Visible emissions	20 percent opacity	15A NCAC 02D .0521

**1. 15A NCAC 02D .0515: PARTICULATES FROM MISCELLANEOUS INDUSTRIAL PROCESSES**

- a. Emissions of particulate matter from this source (**ID No. ES-02**) shall not exceed an allowable emission rate as calculated by the following equation:

$$E = 4.10 \times P^{0.67} \quad \text{Where: } E = \text{allowable emission rate in pounds per hour}$$

$$P = \text{process weight in tons per hour}$$

Liquid and gaseous fuels and combustion air are not considered as part of the process weight.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 B.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515.

**Monitoring/Recordkeeping** [15A NCAC 02Q .0508(f)]

- c. Particulate matter emissions from this source (**ID No. ES-02**) shall be controlled by a bagfilter (**ID No. CD-02**) as described above. To assure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer. In addition to the manufacturer's inspection and maintenance recommendations, or if there are no manufacturer's inspection and maintenance recommendations, as a minimum, the inspection and maintenance requirements shall include the following:

- i. a monthly visual inspection of the system ductwork and material collection units for leaks; and
- ii. an annual (for each 12-month period following initial inspection) internal inspection of the bagfilters' structural integrities.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515 if the ductwork and bagfilters are not inspected and maintained.

- d. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:

- i. the date and time of each recorded action;
- ii. the results of each inspection;
- iii. the results of any maintenance performed on any control device; and
- iv. any variance from manufacturer's recommendations, if any, and corrections made.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515 if these records are not maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- e. The Permittee shall submit the results of any maintenance performed on any control device within 30 days of a written request by the DAQ.
- f. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the



requirements of this permit must be clearly identified.

## 2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from this source (**ID No. ES-02**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 B.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

**Monitoring/Recordkeeping/Reporting** [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for visible emissions from this source (**ID No. ES-02**).

## C. Three No. 2 fuel oil-fired dual use generators (2,000 kW each, ID Nos. ES-03, ES-04, and ES-05)

The following provides a summary of limits and/or standards for the emission source(s) described above.

Regulated Pollutant	Limits/Standards	Applicable Regulation
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 02D .0516
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Hazardous air pollutants	Purchase engine certified to meet the applicable engine emission limits	15A NCAC 02D .1111 40 CFR Part 63, Subpart ZZZZ
NOx	250 tons per year <b>See Section 2.2 A</b>	15A NCAC 02Q .0317 (Avoidance of 15A NCAC 02D .0530)

## 1. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from these dual use generators (**ID. Nos. ES-03, ES-04, and ES-05**) shall not exceed **2.3 pounds per million Btu heat input**. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard. [15A NCAC 02D .0516]

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ found in Section 3. If the results of this test are above the limit given in Section 2.1 C.1.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

**Monitoring/Recordkeeping** [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping is required for sulfur dioxide emissions from burning No. 2 fuel oil in these emergency generators.

## 2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from these dual use generators (**ID. Nos. ES-03, ES-04, and ES-05**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity. [15A NCAC 02D .0521 (d)]

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 C.2.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

**Monitoring/Recordkeeping/Reporting** [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for visible emissions from the firing of diesel fuel in these dual use generators.

**3. 15A NCAC 02D .1111 MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY [40 CFR 63 SUBPART ZZZZ]**

**Applicability** [40 CFR 63.6585, 63.6590(a)(1)(iii)]

- a. For this emission source(s) (existing stationary RICE located at an area source of HAP emissions), the Permittee shall comply with all applicable provisions, including the monitoring, recordkeeping, and reporting contained in Environmental Management Commission Standard 15A NCAC 02D .1111 "Maximum Achievable Control Technology" (MACT) as promulgated in 40 CFR 63, "Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines." and Subpart A "General Provisions."

**Definitions and Nomenclature**

- b. For the purposes of this permit condition, the definitions and nomenclature contained in 40 CFR 63.6675 shall apply.

**Applicability Date** [40 CFR 63.6595(a)(1)]

- c. The Permittee shall comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013.

**General Provisions** [40 CFR 63.6665]

- d. The Permittee shall comply with the General Provisions as applicable pursuant to Table 8 of 40 CFR 63 Subpart ZZZZ

**Notifications** [40 CFR 63.6645(a)(2)]

- e. The Permittee shall submit all of the notifications in the following regulations that apply by the dates specified:
  - i. 40 CFR 63.7(b) [performance testing] and (c) [quality assurance program];
  - ii. 40 CFR 63.8(e) [performance evaluation of CPMS], (f)(4) and (f)(6) [alternative monitoring methods]; and
  - iii. 40 CFR 63.9(b) through (e), and (g) and (h) [initial notifications].
- f. The Permittee shall submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in 40 CFR 63.7(b)(1). [40 CFR 63.6645(g)]
- g. For each performance test, the Permittee shall submit a Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to 40 CFR 63.9(h)(2)(ii) and 63.10(d)(2). [40 CFR 63.6630(c), 63.6645(h)]

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if the notification requirements in conditions **e. through g.** are not met.

**General Compliance Requirements** [15A NCAC 2Q .0508(b)]

- h. The permittee shall be in compliance with the emission limitations, operating limitations and other requirements that apply at all times. [40 CFR 63.6605(a)]
- i. The Permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.6605(b)]

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if conditions h. and i. are not met.

**Fuel Requirements** [15A NCAC 2Q .0508(f)]

- j. The Permittee shall use diesel fuel in the engine with:

- i. a maximum sulfur content of 15 ppm; and
  - ii. a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent.
- [40 CFR 63.6604(a) and 40 CFR 80.510(b)]

**Emissions and Operating Limitations** [15A NCAC 2Q .0508(b)]

- k. The Permittee shall, using an oxidation catalyst:
  - i. limit the concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O<sub>2</sub>; or
  - ii. Reduce CO emissions by 70 percent or more.

[40 CFR 63.6603(a), Table 2d, Table 2b]
- l. Except during periods of start-up, the Permittee shall maintain the temperature of the stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. [40 CFR 63.6603(a), Table 2b]
- m. Except during periods of start-up, the Permittee shall maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the most recent performance test. [40 CFR 63.6603(a), Table 2b]
- n. During periods of startup of the IC engine, the Permittee shall minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [40 CFR 63.6625(h), Table 2d]
- o. If the engine(s) is not equipped with a closed crankcase ventilation system, the Permittee shall comply with either subparagraph i. or ii. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements.
  - (i) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or
  - (ii) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.

[40 CFR 63.6625(g)]

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if conditions j. through o. are not met.

**Testing Requirements** [15A NCAC 2Q .0508(b)]

- p. The Permittee shall conduct initial and subsequent performance tests to demonstrate compliance with the limitations in conditions k. and l. [63.6620(a)]
- q. The Permittee shall conduct the initial performance test within 180 days after May 3, 2013 and according to 40 CFR 63 Subpart ZZZZ Tables 4 and 5 and the provisions in 40 CFR 63.7(a)(2). [40 CFR 63.6612(a)]
- r. The Permittee shall conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first. [40 CFR 63.6615, Table 3]
- s. Each performance test shall be conducted according to the requirements of 40 CFR 63 Subpart ZZZZ Table 4. If a non-operational stationary RICE is subject to performance testing, the Permittee does not need to start up the engine solely to conduct the performance test. The Permittee can conduct the performance test when the engine is started up again. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE. [40 CFR 63.6620(a),(b)]

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if conditions p. through s. are not met.

**Monitoring** [15A NCAC 2Q .0508(f)]

- t. The Permittee shall install, operate, and maintain continuous parameter monitoring systems (CPMS) to monitor the catalyst inlet temperature for each catalyst and reduce the temperature data to 4- hour rolling averages. The Permittee shall maintain the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature in **condition l.** [40 CFR 63 Subpart ZZZZ Table 5, 63.6625(b), 63.6640(a), Table 6]

- u. The Permittee shall measure the pressure drop across the catalyst once per month and demonstrate that the pressure drop across the catalyst is within the operating limitation established during the performance test per condition m. [40 CFR 63 Subpart ZZZZ Table 5, 63.6640(a), Table 6]
- v. The Permittee shall install, operate, and maintain each CPMS according to the requirements in paragraphs (1) through (6):
  - (1) The Permittee shall prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of 40 CFR 63.6625 and in 40 CFR 63.8(d).
  - (2) The Permittee shall install, operate, and maintain each CPMS in continuous operation according to the procedures in the site-specific monitoring plan.
  - (3) The CPMS must collect data at least once every 15 minutes (see also 40 CFR 63.6635).
  - (4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.
  - (5) The Permittee shall conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in the site-specific monitoring plan at least annually.
  - (6) The Permittee shall conduct a performance evaluation of each CPMS in accordance with the site-specific monitoring plan.
 [40 CFR 63.6625(b)]
- w. The Permittee shall monitor and collect data as follows:
  - i. Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, the Permittee shall monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
  - ii. The Permittee shall not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. The Permittee shall, however, use all the valid data collected during all other periods.
 [40 CFR 63.6635]

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if conditions t. through w. are not met.

**Recordkeeping** [15A NCAC 2Q .0508(f)]

- x. The Permittee shall keep records of the following monitoring data:
  - i. catalyst(s) inlet temperature data including the 4-hour rolling averages; and
  - ii. the monthly measurements of the pressure drop across the catalyst(s).
 [40 CFR 63.6655(d)]
- y. The Permittee shall keep the following:
  - i. A copy of each notification and report that was submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv).
  - ii. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
  - iii. Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii).
  - iv. Records of all required maintenance performed on the air pollution control and monitoring equipment.
  - v. Records of actions taken during periods of malfunction to minimize emissions in accordance with condition i, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
 [40 CFR 63.6655(a)]
- z. For each inlet catalyst temperature CPMS, the Permittee shall keep the following records:
  - i. Records described in 40 CFR 63.10(b)(2)(vi) through (xi).

- ii. Previous (i.e., superseded) versions of the performance evaluation plan as required in 40 CFR 63.8(d)(3).
- iii. Requests for alternatives to the relative accuracy test for CPMS as required in 40 CFR 63.8(f)(6)(i), if applicable.

[40 CFR 63.6655(b)]

- aa. The Permittee shall keep each record in a form suitable and readily accessible for expeditious review in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). [40 CFR 63.6660]

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if conditions **x. through aa.** are not met.

**Reporting** [15A NCAC 2Q .0508(f)]

- bb. The permittee shall submit a compliance report semiannually postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of noncompliance with the requirements of this permit must be clearly identified. [40 CFR 63.6650(a),(b)(5) and 63.6650(f)]
- cc. The compliance report must contain:
  - i. Company name and address;
  - ii. Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report; and
  - iii. Date of report and beginning and ending dates of the reporting period.
  - iv. If a malfunction occurred during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with **condition i.**, (63.6605(b) including actions taken to correct a malfunction.
  - v. If there are no instances of noncompliance from any emission or operating limitations that apply, a statement that there were no instances of noncompliance from the emission or operating limitations during the reporting period.
  - vi. If there were no periods during which the CPMS was out-of-control, as specified in 40 CFR 63.8(c)(7), a statement that there were no periods during which the CPMS was out-of-control during the reporting period.

[40 CFR 63.6650(c)]

- dd. For each instance of noncompliance from an emission or operating limitation that occurs for the stationary RICE where the Permittee is **not using a CMS** to comply with the emission or operating limitations, the compliance report must contain the information in **condition cc.i. through iv.** and the following information:
    - i. The total operating time of the stationary RICE at which the instance of noncompliance occurred during the reporting period.
    - ii. Information on the number, duration, and cause of instances of noncompliance (including unknown cause, if applicable), as applicable, and the corrective action taken.
- [40 CFR 63.6650(d)]
- ee. For each instance of noncompliance from an emission or operating limitation occurring for a stationary RICE where the Permittee **is using a CMS** to comply with the emission and operating limitations in this subpart, the Permittee shall include information in **condition cc.i. through iv.** and the following information:
    - i. The date and time that each malfunction started and stopped.
    - ii. The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.
    - iii. The date, time, and duration that each CMS was out-of-control, including the information in 40 CFR 63.8(c)(8).
    - iv. The date and time that each instance of noncompliance started and stopped, and whether each instance of noncompliance occurred during a period of malfunction or during another period.
    - v. A summary of the total duration of the instances of noncompliance during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.
    - vi. A breakdown of the total duration of the instances of noncompliance during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.

- vii. A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.
  - viii. An identification of each parameter and pollutant that was monitored at the stationary RICE.
  - ix. A brief description of the stationary RICE.
  - x. A brief description of the CMS.
  - xi. The date of the latest CMS certification or audit.
  - xii. A description of any changes in CMS, processes, or controls since the last reporting period.
- [40 CFR 63.6650(e)]

The Permittee shall be deemed in noncompliance with the reporting requirements of 15A NCAC 2D .1111 if conditions **bb. through ee.** are not met.

## 2.2- Multiple Emission Sources and Specific Limitations and Conditions

### A. 15A NCAC 2Q .0317 AVOIDANCE CONDITIONS for 15A NCAC 2D .0530: PREVENTION OF SIGNIFICANT DETERIORATION – NITROGEN DIOXIDE

1. In order to avoid applicability of 15A NCAC 2D .0530(g) for major sources and modifications, generators ID Nos. ES-03, ES-04, and ES-05, combined shall emit to the atmosphere less than 250 tons of nitrogen dioxide total per consecutive 12-month period.

Testing [15A NCAC 2Q .0501 (c)(4)]

2. If emission testing is required, the Permittee shall perform such testing in accordance with 15A NCAC 2D .0501(c)(4) and General Condition JJ. If the results of this test are above the limit given in Section 2.2 A. 1. above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530.

Monitoring/Recordkeeping [15A NCAC 2Q .0508 (f)]

3. The Permittee shall keep monthly records of the amount of total hours of operation for each of the three No. 2 fuel oil-fired dual use generators. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530 if fuel usage is not monitored.
4. Calculations for the generators shall be made monthly and recorded in a logbook (written or in electronic format), according to the following formula:

The total hours of operation without exceeding the PSD Avoidance condition is 7400 hours per consecutive 12-month period using the NSPS allowable emissions limit for NO<sub>x</sub>.

$$\sum \text{hours of operation} [A + B + C] \leq 7400 \text{ hours per consecutive twelve months}$$

A = hours of operation for ES-03

B = hours of operation for ES-04

C = hours of operation for ES-05

Reporting [15A NCAC 2Q .0508 (f)]

5. The Permittee shall submit a semi-annual summary report, acceptable to the Regional Air Quality Supervisor, of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December, and July 30 of each calendar year for the preceding six-month period between January and June. The report shall contain the following:
  - a. The monthly hours of operation for the previous 17 months. The hours of operation shall be calculated for each of the 12-month periods over the previous 17 months.

### **SECTION 3 - GENERAL CONDITIONS (version 5.3, 08/21/2018)**

This section describes terms and conditions applicable to this Title V facility.

**A. General Provisions** [NCGS 143-215 and 15A NCAC 02Q .0508(i)(16)]

1. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in 15A NCAC 02D and 02Q.
2. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are binding and enforceable pursuant to NCGS 143-215.114A and 143-215.114B, including assessment of civil and/or criminal penalties. Any unauthorized deviation from the conditions of this permit may constitute grounds for revocation and/or enforcement action by the DAQ.
3. This permit is not a waiver of or approval of any other Department permits that may be required for other aspects of the facility which are not addressed in this permit.
4. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted facility, or from penalties therefore, nor does it allow the Permittee to cause pollution in contravention of state laws or rules, unless specifically authorized by an order from the North Carolina Environmental Management Commission.
5. Except as identified as state-only requirements in this permit, all terms and conditions contained herein shall be enforceable by the DAQ, the EPA, and citizens of the United States as defined in the Federal Clean Air Act.
6. Any stationary source of air pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the DAQ, unless the source is exempted by rule. The DAQ may issue a permit only after it receives reasonable assurance that the installation will not cause air pollution in violation of any of the applicable requirements. A permitted installation may only be operated, maintained, constructed, expanded, or modified in a manner that is consistent with the terms of this permit.

**B. Permit Availability** [15A NCAC 02Q .0507(k) and .0508(i)(9)(B)]

The Permittee shall have available at the facility a copy of this permit and shall retain for the duration of the permit term one complete copy of the application and any information submitted in support of the application package. The permit and application shall be made available to an authorized representative of Department of Environmental Quality upon request.

**C. Severability Clause** [15A NCAC 02Q .0508(i)(2)]

In the event of an administrative challenge to a final and binding permit in which a condition is held to be invalid, the provisions in this permit are severable so that all requirements contained in the permit, except those held to be invalid, shall remain valid and must be complied with.

**D. Submissions** [15A NCAC 02Q .0507(e) and 02Q .0508(i)(16)]

Except as otherwise specified herein, two copies of all documents, reports, test data, monitoring data, notifications, request for renewal, and any other information required by this permit shall be submitted to the appropriate Regional Office. Refer to the Regional Office address on the cover page of this permit. For continuous emissions monitoring systems (CEMS) reports, continuous opacity monitoring systems (COMS) reports, quality assurance (QA)/quality control (QC) reports, acid rain CEM certification reports, and NOx budget CEM certification reports, one copy shall be sent to the appropriate Regional Office and one copy shall be sent to:

Supervisor, Stationary Source Compliance  
North Carolina Division of Air Quality  
1641 Mail Service Center  
Raleigh, NC 27699-1641

All submittals shall include the facility name and Facility ID number (refer to the cover page of this permit).

E. **Duty to Comply** [15A NCAC 02Q .0508(i)(3)]

The Permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Noncompliance with any permit condition except conditions identified as state-only requirements constitutes a violation of the Federal Clean Air Act. Noncompliance with any permit condition is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

F. **Circumvention** - STATE ENFORCEABLE ONLY

The facility shall be properly operated and maintained at all times in a manner that will effect an overall reduction in air pollution. Unless otherwise specified by this permit, no emission source may be operated without the concurrent operation of its associated air pollution control device(s) and appurtenances.

G. **Permit Modifications**

1. Administrative Permit Amendments [15A NCAC 02Q .0514]

The Permittee shall submit an application for an administrative permit amendment in accordance with 15A NCAC 02Q .0514.

2. Transfer in Ownership or Operation and Application Submittal Content [15A NCAC 02Q .0524 and 02Q .0505]

The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 02Q.0524 and 02Q .0505.

3. Minor Permit Modifications [15A NCAC 02Q .0515]

The Permittee shall submit an application for a minor permit modification in accordance with 15A NCAC 02Q .0515.

4. Significant Permit Modifications [15A NCAC 02Q .0516]

The Permittee shall submit an application for a significant permit modification in accordance with 15A NCAC 02Q .0516.

5. Reopening for Cause [15A NCAC 02Q .0517]

The Permittee shall submit an application for reopening for cause in accordance with 15A NCAC 02Q .0517.

H. **Changes Not Requiring Permit Modifications**

1. Reporting Requirements

Any of the following that would result in new or increased emissions from the emission source(s) listed in Section 1 must be reported to the Regional Supervisor, DAQ:

- a. changes in the information submitted in the application;
- b. changes that modify equipment or processes; or
- c. changes in the quantity or quality of materials processed.

If appropriate, modifications to the permit may then be made by the DAQ to reflect any necessary changes in the permit conditions. In no case are any new or increased emissions allowed that will cause a violation of the emission limitations specified herein.

2. Section 502(b)(10) Changes [15A NCAC 02Q .0523(a)]

- a. "Section 502(b)(10) changes" means changes that contravene an express permit term or condition. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
- b. The Permittee may make Section 502(b)(10) changes without having the permit revised if:
  - i. the changes are not a modification under Title I of the Federal Clean Air Act;
  - ii. the changes do not cause the allowable emissions under the permit to be exceeded;
  - iii. the Permittee notifies the Director and EPA with written notification at least seven days before the



- change is made; and
  - iv. the Permittee shall attach the notice to the relevant permit.
  - c. The written notification shall include:
    - i. a description of the change;
    - ii. the date on which the change will occur;
    - iii. any change in emissions; and
    - iv. any permit term or condition that is no longer applicable as a result of the change.
  - d. Section 502(b)(10) changes shall be made in the permit the next time that the permit is revised or renewed, whichever comes first.
3. Off Permit Changes [15A NCAC 02Q .0523(b)]
- The Permittee may make changes in the operation or emissions without revising the permit if:
- a. the change affects only insignificant activities and the activities remain insignificant after the change; or
  - b. the change is not covered under any applicable requirement.
4. Emissions Trading [15A NCAC 02Q .0523(c)]
- To the extent that emissions trading is allowed under 15A NCAC 02D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to 15A NCAC 02Q .0523(c).

**I.A Reporting Requirements for Excess Emissions and Permit Deviations** [15A NCAC 02D .0535(f) and 02Q .0508(f)(2)]

"Excess Emissions" - means an emission rate that exceeds any applicable emission limitation or standard allowed by any rule in Sections .0500, .0900, .1200, or .1400 of Subchapter 02D; or by a permit condition; or that exceeds an emission limit established in a permit issued under 15A NCAC 02Q .0700. *(Note: Definitions of excess emissions under 02D .1110 and 02D .1111 shall apply where defined by rule.)*

"Deviations" - for the purposes of this condition, any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions as well as excess emissions as defined above lasting less than four hours.

**Excess Emissions**

1. If a source is required to report excess emissions under NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or the operating permit provides for periodic (e.g., quarterly) reporting of excess emissions, reporting shall be performed as prescribed therein.
2. If the source is not subject to NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or these rules do NOT define "excess emissions," the Permittee shall report excess emissions in accordance with 15A NCAC 02D .0535 as follows:
  - a. Pursuant to 15A NCAC 02D .0535, if excess emissions last for more than four hours resulting from a malfunction, a breakdown of process or control equipment, or any other abnormal condition, the owner or operator shall:
    - i. notify the Regional Supervisor or Director of any such occurrence by 9:00 a.m. Eastern Time of the Division's next business day of becoming aware of the occurrence and provide:
      - name and location of the facility;
      - nature and cause of the malfunction or breakdown;
      - time when the malfunction or breakdown is first observed;
      - expected duration; and
      - estimated rate of emissions;
    - ii. notify the Regional Supervisor or Director immediately when corrective measures have been accomplished; and
    - iii. submit to the Regional Supervisor or Director within 15 days a written report as described in 15A NCAC 02D .0535(f)(3).

Permit Deviations

3. Pursuant to 15A NCAC 02Q .0508(f)(2), the Permittee shall report deviations from permit requirements (terms and conditions) as follows:
  - a. Notify the Regional Supervisor or Director of all other deviations from permit requirements not covered under 15A NCAC 02D .0535 quarterly. A written report to the Regional Supervisor shall include the probable cause of such deviation and any corrective actions or preventative actions taken. The responsible official shall certify all deviations from permit requirements.

**I.B Other Requirements under 15A NCAC 02D .0535**

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 02D .0535, including 15A NCAC 02D .0535(c) as follows:

1. Any excess emissions that do not occur during start-up and shut-down shall be considered a violation of the appropriate rule unless the owner or operator of the sources demonstrates to the Director, that the excess emissions are a result of a malfunction. The Director shall consider, along with any other pertinent information, the criteria contained in 15A NCAC 02D .0535(c)(1) through (7).
2. 15A NCAC 02D .0535(g). Excess emissions during start-up and shut-down shall be considered a violation of the appropriate rule if the owner or operator cannot demonstrate that excess emissions are unavoidable.

**J. Emergency Provisions** [40 CFR 70.6(g)]

The Permittee shall be subject to the following provisions with respect to emergencies:

1. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the facility to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.
2. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in 3. below are met.
3. The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs or other relevant evidence that include information as follows:
  - a. an emergency occurred and the Permittee can identify the cause(s) of the emergency;
  - b. the permitted facility was at the time being properly operated;
  - c. during the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the standards or other requirements in the permit; and
  - d. the Permittee submitted notice of the emergency to the DAQ within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
5. This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

**K. Permit Renewal** [15A NCAC 02Q .0508(e) and 02Q .0513(b)]

This 15A NCAC 02Q .0500 permit is issued for a fixed term not to exceed five years and shall expire at the end of its term. Permit expiration terminates the facility's right to operate unless a complete 15A NCAC 02Q .0500 renewal application is submitted at least six months before the date of permit expiration. If the Permittee or applicant has complied with 15A NCAC 02Q .0512(b)(1), this 15A NCAC 02Q .0500 permit shall not expire until the renewal permit has been issued or denied. Permit expiration under 15A NCAC 02Q .0400 terminates the facility's right to operate unless a complete 15A NCAC 02Q .0400 renewal application is submitted at least six months before the date of permit expiration for facilities subject to 15A NCAC 02Q .0400 requirements. In either of these events, all terms and conditions of these permits shall remain in effect until the renewal permits

have been issued or denied.

**L. Need to Halt or Reduce Activity Not a Defense [15A NCAC 02Q .0508(i)(4)]**

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**M. Duty to Provide Information (submittal of information) [15A NCAC 02Q .0508(i)(9)]**

1. The Permittee shall furnish to the DAQ, in a timely manner, any reasonable information that the Director may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
2. The Permittee shall furnish the DAQ copies of records required to be kept by the permit when such copies are requested by the Director. For information claimed to be confidential, the Permittee may furnish such records directly to the EPA upon request along with a claim of confidentiality.

**N. Duty to Supplement [15A NCAC 02Q .0507(f)]**

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the DAQ. The Permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the facility after the date a complete permit application was submitted but prior to the release of the draft permit.

**O. Retention of Records [15A NCAC 02Q .0508(f) and 02Q .0508 (l)]**

The Permittee shall retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring information, and copies of all reports required by the permit. These records shall be maintained in a form suitable and readily available for expeditious inspection and review. Any records required by the conditions of this permit shall be kept on site and made available to DAQ personnel for inspection upon request.

**P. Compliance Certification [15A NCAC 02Q .0508(n)]**

The Permittee shall submit to the DAQ and the EPA (Air and EPCRA Enforcement Branch, EPA, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303) postmarked on or before March 1 a compliance certification (for the preceding calendar year) by a responsible official with all federally-enforceable terms and conditions in the permit, including emissions limitations, standards, or work practices. It shall be the responsibility of the current owner to submit a compliance certification for the entire year regardless of who owned the facility during the year. The compliance certification shall comply with additional requirements as may be specified under Sections 114(a)(3) or 504(b) of the Federal Clean Air Act. The compliance certification shall specify:

1. the identification of each term or condition of the permit that is the basis of the certification;
2. the compliance status (with the terms and conditions of the permit for the period covered by the certification);
3. whether compliance was continuous or intermittent; and
4. the method(s) used for determining the compliance status of the source during the certification period.

**Q. Certification by Responsible Official [15A NCAC 02Q .0520]**

A responsible official shall certify the truth, accuracy, and completeness of any application form, report, or compliance certification required by this permit. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**R. Permit Shield for Applicable Requirements [15A NCAC 02Q .0512]**

1. Compliance with the terms and conditions of this permit shall be deemed compliance with applicable

requirements, where such applicable requirements are included and specifically identified in the permit as of the date of permit issuance.

2. A permit shield shall not alter or affect:
  - a. the power of the Commission, Secretary of the Department, or Governor under NCGS 143-215.3(a)(12), or EPA under Section 303 of the Federal Clean Air Act;
  - b. the liability of an owner or operator of a facility for any violation of applicable requirements prior to the effective date of the permit or at the time of permit issuance;
  - c. the applicable requirements under Title IV; or
  - d. the ability of the Director or the EPA under Section 114 of the Federal Clean Air Act to obtain information to determine compliance of the facility with its permit.
3. A permit shield does not apply to any change made at a facility that does not require a permit or permit revision made under 15A NCAC 02Q .0523.
4. A permit shield does not extend to minor permit modifications made under 15A NCAC 02Q .0515.

S. **Termination, Modification, and Revocation of the Permit** [15A NCAC 02Q .0519]

The Director may terminate, modify, or revoke and reissue this permit if:

1. the information contained in the application or presented in support thereof is determined to be incorrect;
2. the conditions under which the permit or permit renewal was granted have changed;
3. violations of conditions contained in the permit have occurred;
4. the EPA requests that the permit be revoked under 40 CFR 70.7(g) or 70.8(d); or
5. the Director finds that termination, modification, or revocation and reissuance of the permit is necessary to carry out the purpose of NCGS Chapter 143, Article 21B.

T. **Insignificant Activities** [15A NCAC 02Q .0503]

Because an emission source or activity is insignificant does not mean that the emission source or activity is exempted from any applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement. The Permittee shall have available at the facility at all times and made available to an authorized representative upon request, documentation, including calculations, if necessary, to demonstrate that an emission source or activity is insignificant.

U. **Property Rights** [15A NCAC 02Q .0508(i)(8)]

This permit does not convey any property rights in either real or personal property or any exclusive privileges.

V. **Inspection and Entry** [15A NCAC 02Q .0508(l) and NCGS 143-215.3(a)(2)]

1. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the DAQ, or an authorized representative, to perform the following:
  - a. enter the Permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;
  - b. have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
  - c. inspect at reasonable times and using reasonable safety practices any source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
  - d. sample or monitor substances or parameters, using reasonable safety practices, for the purpose of assuring compliance with the permit or applicable requirements at reasonable times.

Nothing in this condition shall limit the ability of the EPA to inspect or enter the premises of the Permittee under Section 114 or other provisions of the Federal Clean Air Act.

2. No person shall refuse entry or access to any authorized representative of the DAQ who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

W. **Annual Fee Payment** [15A NCAC 02Q .0508(i)(10)]

1. The Permittee shall pay all fees in accordance with 15A NCAC 02Q .0200.
2. Payment of fees may be by check or money order made payable to the N.C. Department of Environmental Quality. Annual permit fee payments shall refer to the permit number.
3. If, within 30 days after being billed, the Permittee fails to pay an annual fee, the Director may initiate action to terminate the permit under 15A NCAC 02Q .0519.

X. **Annual Emission Inventory Requirements** [15A NCAC 02Q .0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in 15A NCAC 02Q .0207(a) from each emission source within the facility during the previous calendar year. The report shall be in or on such form as may be established by the Director. The accuracy of the report shall be certified by a responsible official of the facility.

Y. **Confidential Information** [15A NCAC 02Q .0107 and 02Q .0508(i)(9)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to 15A NCAC 02Q .0107, the Permittee may also submit a copy of all such information and claim directly to the EPA upon request. All requests for confidentiality must be in accordance with 15A NCAC 02Q .0107.

Z. **Construction and Operation Permits** [15A NCAC 02Q .0100 and .0300]

A construction and operating permit shall be obtained by the Permittee for any proposed new or modified facility or emission source which is not exempted from having a permit prior to the beginning of construction or modification, in accordance with all applicable provisions of 15A NCAC 02Q .0100 and .0300.

AA. **Standard Application Form and Required Information** [15A NCAC 02Q .0505 and .0507]

The Permittee shall submit applications and required information in accordance with the provisions of 15A NCAC 02Q .0505 and .0507.

BB. **Financial Responsibility and Compliance History** [15A NCAC 02Q .0507(d)(3)]

The DAQ may require an applicant to submit a statement of financial qualifications and/or a statement of substantial compliance history.

CC. **Refrigerant Requirements (Stratospheric Ozone and Climate Protection)** [15A NCAC 02Q .0501(d)]

1. If the Permittee has appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR Part 82 Subpart A Appendices A and B, the Permittee shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR Part 82 Subpart F.
2. The Permittee shall not knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR Part 82 Subpart F.
3. The Permittee shall comply with all reporting and recordkeeping requirements of 40 CFR 82.166. Reports shall be submitted to the EPA or its designee as required.

DD. **Prevention of Accidental Releases - Section 112(r)** [15A NCAC 02Q .0508(h)]

If the Permittee is required to develop and register a Risk Management Plan with EPA pursuant to Section 112(r) of the Clean Air Act, then the Permittee is required to register this plan in accordance with 40 CFR Part 68.

EE. **Prevention of Accidental Releases General Duty Clause - Section 112(r)(1) – FEDERALLY-ENFORCEABLE ONLY**

Although a risk management plan may not be required, if the Permittee produces, processes, handles, or stores any amount of a listed hazardous substance, the Permittee has a general duty to take such steps as are necessary

to prevent the accidental release of such substance and to minimize the consequences of any release.

**FF. Title IV Allowances** [15A NCAC 02Q .0508(i)(1)]

This permit does not limit the number of Title IV allowances held by the Permittee, but the Permittee may not use allowances as a defense to noncompliance with any other applicable requirement. The Permittee's emissions may not exceed any allowances that the facility lawfully holds under Title IV of the Federal Clean Air Act.

**GG. Air Pollution Emergency Episode** [15A NCAC 02D .0300]

Should the Director of the DAQ declare an Air Pollution Emergency Episode, the Permittee will be required to operate in accordance with the Permittee's previously approved Emission Reduction Plan or, in the absence of an approved plan, with the appropriate requirements specified in 15A NCAC 02D .0300.

**HH. Registration of Air Pollution Sources** [15A NCAC 02D .0202]

The Director of the DAQ may require the Permittee to register a source of air pollution. If the Permittee is required to register a source of air pollution, this registration and required information will be in accordance with 15A NCAC 02D .0202(b).

**II. Ambient Air Quality Standards** [15A NCAC 02D .0501(c)]

In addition to any control or manner of operation necessary to meet emission standards specified in this permit, any source of air pollution shall be operated with such control or in such manner that the source shall not cause the ambient air quality standards in 15A NCAC 02D .0400 to be exceeded at any point beyond the premises on which the source is located. When controls more stringent than named in the applicable emission standards in this permit are required to prevent violation of the ambient air quality standards or are required to create an offset, the permit shall contain a condition requiring these controls.

**JJ. General Emissions Testing and Reporting Requirements** [15A NCAC 02Q .0508(i)(16)]

Emission compliance testing shall be by the procedures of Section .2600, except as may be otherwise required in Rules .0524, .0912, .1110, .1111, or .1415 of Subchapter 02D. If emissions testing is required by this permit or the DAQ or if the Permittee submits emissions testing to the DAQ to demonstrate compliance, the Permittee shall perform such testing in accordance with 15A NCAC 02D .2600 and follow the procedures outlined below:

1. The owner or operator of the source shall arrange for air emission testing protocols to be provided to the Director prior to air pollution testing. Testing protocols are not required to be pre-approved by the Director prior to air pollution testing. The Director shall review air emission testing protocols for pre-approval prior to testing if requested by the owner or operator at least **45 days** before conducting the test.
2. Any person proposing to conduct an emissions test to demonstrate compliance with an applicable standard shall notify the Director at least **15 days** before beginning the test so that the Director may at his option observe the test.
3. The owner or operator of the source shall arrange for controlling and measuring the production rates during the period of air testing. The owner or operator of the source shall ensure that the equipment or process being tested is operated at the production rate that best fulfills the purpose of the test. The individual conducting the emission test shall describe the procedures used to obtain accurate process data and include in the test report the average production rates determined during each testing period.
4. Two copies of the final air emission test report shall be submitted to the Director not later than **30 days** after sample collection unless otherwise specified in the specific conditions. The owner or operator may request an extension to submit the final test report. The Director shall approve an extension request if he finds that the extension request is a result of actions beyond the control of the owner or operator.
  - a. The Director shall make the final determination regarding any testing procedure deviation and the validity of the compliance test. The Director may:
    - i. Allow deviations from a method specified under a rule in this Section if the owner or operator of the source being tested demonstrates to the satisfaction of the Director that the specified method is inappropriate for the source being tested.

- ii. Prescribe alternate test procedures on an individual basis when he finds that the alternative method is necessary to secure more reliable test data.
- iii. Prescribe or approve methods on an individual basis for sources or pollutants for which no test method is specified in this Section if the methods can be demonstrated to determine compliance of permitted emission sources or pollutants.
- b. The Director may authorize the Division of Air Quality to conduct independent tests of any source subject to a rule in this Subchapter to determine the compliance status of that source or to verify any test data submitted relating to that source. Any test conducted by the Division of Air Quality using the appropriate testing procedures described in Section 02D .2600 has precedence over all other tests.

**KK. Reopening for Cause** [15A NCAC 02Q .0517]

- 1. A permit shall be reopened and revised under the following circumstances:
  - a. additional applicable requirements become applicable to a facility with remaining permit term of three or more years;
  - b. additional requirements (including excess emission requirements) become applicable to a source covered by Title IV;
  - c. the Director or EPA finds that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
  - d. the Director or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- 2. Any permit reopening shall be completed or a revised permit issued within 18 months after the applicable requirement is promulgated. No reopening is required if the effective date of the requirement is after the expiration of the permit term unless the term of the permit was extended pursuant to 15A NCAC 02Q .0513(c).
- 3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 02Q .0507, .0521, or .0522 shall be followed to reissue the permit. If the State-enforceable only portion of the permit is reopened, the procedures in 15A NCAC 02Q .0300 shall be followed. The proceedings shall affect only those parts of the permit for which cause to reopen exists.
- 4. The Director shall notify the Permittee at least 60 days in advance of the date that the permit is to be reopened, except in cases of imminent threat to public health or safety the notification period may be less than 60 days.
- 5. Within 90 days, or 180 days if the EPA extends the response period, after receiving notification from the EPA that a permit needs to be terminated, modified, or revoked and reissued, the Director shall send to the EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate.

**LL. Reporting Requirements for Non-Operating Equipment** [15A NCAC 02Q .0508(i)(16)]

The Permittee shall maintain a record of operation for permitted equipment noting whenever the equipment is taken from and placed into operation. When permitted equipment is not in operation, the requirements for testing, monitoring, and recordkeeping are suspended until operation resumes.

**MM. Fugitive Dust Control Requirement** [15A NCAC 02D .0540]

As required by 15A NCAC 02D .0540 "Particulates from Fugitive Dust Emission Sources," the Permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints or excess visible emissions beyond the property boundary. If substantive complaints or excessive fugitive dust emissions from the facility are observed beyond the property boundaries for six minutes in any one hour (using Reference Method 22 in 40 CFR, Appendix A), the owner or operator may be required to submit a fugitive dust plan as described in 02D .0540(f).

"Fugitive dust emissions" means particulate matter from process operations that does not pass through a process stack or vent and that is generated within plant property boundaries from activities such as: unloading and loading areas, process areas, stockpiles, stock pile working, plant parking lots, and plant roads (including access roads and haul roads).

NN. **Specific Permit Modifications** [15A NCAC 02Q .0501 and .0523]

1. For modifications made pursuant to 15A NCAC 02Q .0501(b)(2), the Permittee shall file a Title V Air Quality Permit Application for the air emission source(s) and associated air pollution control device(s) on or before 12 months after commencing operation.
2. For modifications made pursuant to 15A NCAC 02Q .0501(c)(2), the Permittee shall not begin operation of the air emission source(s) and associated air pollution control device(s) until a Title V Air Quality Permit Application is filed and a construction and operation permit following the procedures of Section .0500 (except for Rule .0504 of this Section) is obtained.
3. For modifications made pursuant to 502(b)(10), in accordance with 15A NCAC 02Q .0523(a)(1)(C), the Permittee shall notify the Director and EPA (EPA - Air Planning Branch, 61 Forsyth Street SW, Atlanta, GA 30303) in writing at least seven days before the change is made. The written notification shall include:
  - a. a description of the change at the facility;
  - b. the date on which the change will occur;
  - c. any change in emissions; and
  - d. any permit term or condition that is no longer applicable as a result of the change.

In addition to this notification requirement, with the next significant modification or Air Quality Permit renewal, the Permittee shall submit a page "E5" of the application forms signed by the responsible official verifying that the application for the 502(b)(10) change/modification, is true, accurate, and complete. Further note that modifications made pursuant to 502(b)(10) do not relieve the Permittee from satisfying preconstruction requirements.

OO. **Third Party Participation and EPA Review** [15A NCAC 02Q .0521, .0522 and .0525(7)]

For permits modifications subject to 45-day review by the federal Environmental Protection Agency (EPA), EPA's decision to not object to the proposed permit is considered final and binding on the EPA and absent a third party petition, the failure to object is the end of EPA's decision-making process with respect to the revisions to the permit. The time period available to submit a public petition pursuant to 15A NCAC 02Q .0518 begins at the end of the 45-day EPA review period.



## ATTACHMENT

### List of Acronyms

<b>AOS</b>	Alternative Operating Scenario
<b>BACT</b>	Best Available Control Technology
<b>Btu</b>	British thermal unit
<b>CAA</b>	Clean Air Act
<b>CAIR</b>	Clean Air Interstate Rule
<b>CEM</b>	Continuous Emission Monitor
<b>CFR</b>	Code of Federal Regulations
<b>DAQ</b>	Division of Air Quality
<b>DEQ</b>	Department of Environmental Quality
<b>EMC</b>	Environmental Management Commission
<b>EPA</b>	Environmental Protection Agency
<b>FR</b>	Federal Register
<b>GACT</b>	Generally Available Control Technology
<b>HAP</b>	Hazardous Air Pollutant
<b>MACT</b>	Maximum Achievable Control Technology
<b>NAA</b>	Non-Attainment Area
<b>NCAC</b>	North Carolina Administrative Code
<b>NCGS</b>	North Carolina General Statutes
<b>NESHAP</b>	National Emission Standards for Hazardous Air Pollutants
<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>NSPS</b>	New Source Performance Standard
<b>OAH</b>	Office of Administrative Hearings
<b>PM</b>	Particulate Matter
<b>PM<sub>10</sub></b>	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
<b>POS</b>	Primary Operating Scenario
<b>PSD</b>	Prevention of Significant Deterioration
<b>RACT</b>	Reasonably Available Control Technology
<b>SIC</b>	Standard Industrial Classification
<b>SIP</b>	State Implementation Plan
<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>tpy</b>	Tons Per Year
<b>VOC</b>	Volatile Organic Compound